

THE GAUHATI HIGH COURT AT GUWAHATI
 (HIGH COURT OF ASSAM: NAGALAND: MEGHALAYA: MANIPUR:
 TRIPURA: MIZORAM AND ARUNACHAL PRADESH)

NOTIFICATION

Dated Guwahati, the 7th September, 2012.

No.HC.XI/15/ 2012/ 320/ RC # # # #In exercise of the powers conferred by Article 229(1) and (2) of the Constitution of India and all other powers enabling him, Hon'ble the Chief Justice of the Gauhati High Court is pleased to make the following rules for regulating the recruitment and conditions of service of Court Managers in the State of Assam.

(1) **Short title and Commencement:-**

- (i) The Rules may be called the Gauhati High Court(Appointment and Conditions of Service of Court Managers) (Assam) Rules 2012 and applicable to the holders of the temporary post of Court Manager created and sanctioned by the Government of Assam under the 13th Finance Commission Grant-in-aid Scheme.
- (ii) The Rules hereby made shall be deemed to have come into force with effect from the date of this notification.

(2) **Definitions:-** In these Rules, unless the context otherwise requires:-

- (a) "Appointing Authority" means the Registrar General of the High Court.
- (b) "Chief Justice" means the Chief Justice of the High Court.
- (c) "Court Manager" means a person appointed under these Rules.
- (d) "District Courts" means the Subordinate Courts in various judicial districts in the State of Assam under the jurisdiction of the Gauhati High Court.
- (e) "District and Sessions Judge" means a Judicial Officer who holds the post of the District and Sessions Judge in a District Court.
- (f) "Government" means the Government of Assam.
- (g) "High Court" means the Gauhati High Court.
- (h) "Judicial District" means the territorial area over which a District Court exercises jurisdiction.
- (i) "Selection Committee" means the Committee constituted by the Hon'ble the Chief Justice for selection to the post of Court Manager.

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(j) "State" means the State of Assam.

(k) "Registrar General" means the incumbent in the post of Registrar General in the Principal Seat of the Gauhati High Court.

(3) **Appointment of Court Managers:-**

(i) There shall be 1(one) Court Manager for the Principal Seat of the Gauhati High Court at Guwahati, and 22(twenty two) Court Managers, one in every District Court in the Judicial Districts in the State of Assam.

(ii) The aforementioned 23(twenty-three) posts of Court Managers are tenure posts, created under the award of 13th Finance Commission and co-terminus with the period of operation of the 13th Finance Commission's Award.

(iii) Appointment to the posts of Court Manager shall be made by direct recruitment, conducted by the Gauhati High Court, in the manner to be notified in the advertisement, as and when, published.

(iv) The appointment is on full time basis and during the terms of appointment, the Court Manager will not be entitled to take up any other employment, even on part time basis.

(v) The appointment will not confer any right on the person appointed for regularisation of service as Court Manager or in any other posts in the Gauhati High Court service or in any other Court.

(4) **Qualification:-** No person shall be eligible for appointment to the post of Court Manager by direct recruitment, unless he/she possesses the following qualifications:

(i) A Bachelor Degree with Masters in Business Administration or Advanced Diploma in General Management from a UGC recognised University or Institution in India.

(ii) 5(five) years experience/training in systems and process management or 5(five) years experience/training in I.T. Systems Management/Human Resources Management/Financial Management.

(iii) Excellent communication skills in Hindi, English and official languages of the State of Assam.

(iv) Excellent Social skills.

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(v) **Excellent computer application skills and**

(vi) **Preference will be given to Candidates having qualification and experience in the field of Law.**

(5) **Age:- Between 25(twenty-five) to 35(thirty-five) years as on the last date fixed for receipt of applications. The upper age limit for candidates belonging to Scheduled Castes and Scheduled Tribes of the State of Assam is relaxable by 3(three) years.**

(6) **Recruitment:-**

(1) **The Selection Committee constituted by the Hon'ble the Chief Justice, after holding appropriate Written Examination followed by Viva Voce, shall prepare in the order of merit, a list of candidates eligible for appointment and recommend the names of selected candidates to the Hon'ble the Chief Justice for approval.**

(2) **The person selected by the Selection Committee shall not be appointed-**

(i) **Unless he/she is of good character and is in all respect suitable for appointment to the service; and**

(ii) **Unless he/she is certified by the medical authority specified by the High Court that he/she is medically fit to discharge the duties of the post for which he/she is selected.**

(7) **Tenure:-**

(i) **All appointments to the post of Court Manager shall be purely on contract basis, which can be terminated at any time without any prior notice;**

(ii) **The tenure of service may be for the plan period of 13th Finance Commission, i.e.31.03.2015.**

(8) **Duties and Responsibilities:-**

A. **(I)The Court Manager shall assist the Registrar General and other Registrars and Officers in the Principal Seat of the High Court and the District Courts in the respective Judicial Districts, as the case may be, in administrative functioning of the Courts to enhance the efficiency of the Court Management.**

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(II) While performing such function, the Court Manager shall work under the control of the Registrar General in case of appointment in the Principal Seat of the Gauhati High Court or of a District and Sessions Judge in case of appointment in a District Court, as the case may be.

(III) The incumbent appointed as Court Manager shall maintain professional secrecy and shall not divulge any information which may come to his knowledge to anyone under any circumstances. Breach of this condition shall make him liable to be removed, forthwith.

(IV) The Court Manager, apart from any other work that may be assigned to him/her by the Registrar General or District & Sessions Judge, may be entrusted with the following responsibilities:-

B. Policies and Standards:-

(I) Based on applicable directives of Superior Courts, establish the performance standards applicable to the Court (including on timeliness, efficiency, quality of Court performance; infrastructure; and human resources; access to justice; as well as for systems for court management and case management).

(II) Carry out an evaluation of the compliance of the court with such standards; identify deficiencies and deviations; identify steps required to achieve compliances; maintain such an evaluation on a current basis through annual updates.

C. Planning:-

(I) In consultation with the stakeholders of a court (including the Bar, Ministerial Staff, Executive Agencies supporting judicial functions such as prosecutors/police/process serving agencies and court users), prepare and update annually a 5 year Court wise Court Development Plan (CDP);

(II) Monitor the Implementation of the CDP and report to superior authorities on progress.

D. Information and Statistics:-

(I) Ensure that statistics on all aspects of functioning of the Court are compiled and reported accurately and promptly in accordance with systems established by the High Court.

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(II) Ensure that reports on statistics are duly completed and provided as required;

E. **Court Management**:- Ensure that the processes and procedures of the Court (including for filing, certified copies, scheduling, conduct of adjudication, access to information and documents and grievance redressal) are fully complied with the policies and standards established by the High Court for Court management and that they safeguard quality, ensure efficiency and timeliness, and minimize costs to litigants and to the State; and enhance access to justice.

(Note: standard systems for Court management should be developed at the High Court level).

F. **Case Management**: - Ensure that case management systems are fully complied with the policies and standards established by the High Court for case management and that they address the legitimate needs of each individual litigant in term of quality, efficiency and timeliness, costs to litigants and to the State

(Note: standard systems for Court management should be developed at the High Court level).

G. **Responsiveness Management-Access to Justice-Legal Aid and User Friendliness**: - Ensure that the Court meets standards established by the High Court on access to justice, Legal Aid and ADR methods and user friendliness.

H. **Quality Management**: - Ensure that all directions issued by the High Court from time-to-time are complied with.

I. **Human Resource Management**: - Ensure that Human Resource Management of Ministerial Staff in the Court comply with the Human Resource Management standards established by the High Court.

J. **Core Systems Management**: - Ensure that the core systems of the Court are established and function effectively (documentation management; utilities management; Infrastructure and facilities management; financial systems management) (Audits; accounts; payments) in co-ordination with PDJ.

K. **IT Systems Management**:-

(1) Ensure that the IT systems of the Court comply with standards established by the High Court and are fully functional.

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- (2) Feed the proposed National Arrears Grid to be set up to monitor the disposal of cases in all the Courts, as and when it is set up.
- (9) **Pay & /Allowances:** - A Court Manager shall be entitled to a consolidated pay of Rs.50, 000/-(Rupees fifty thousand) per month, with increase of 10% after 12(twelve) months of continuous service.
- (10) **Transfer:-**
- (I) The post of Court Manager shall be transferable throughout the State of Assam.
- (II) The appointing authority shall have the prerogative to transfer a Court Manager from one place to another at any time.
- (11) **Lien:** - The holder of the post of Court Manager cannot claim lien over any of the posts in any service including the Gauhati High Court Services.
- (12) **Reservation:** - The reservation policy as applicable to the High Court service under the Gauhati High Court (Appointment, Conditions of Service & Condition) Rules, 1967 shall be applicable.
- (13) **Training:** - Every person appointed to the post of Court Manager shall undergo training as may be prescribed by the High Court from time to time.
- (14) **Residuary Provision:** - Any other matter which is not specifically provided herein shall be within the absolute discretion of Hon'ble the Chief Justice.

By Order, etc.
Sd/- H.K. Sarma

REGISTRAR GENERAL